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09400HB3462ham001

LRB094 03852 RSP 43017 a

1 AMENDMENT TO HOUSE BILL 3462

2 AMENDMENT NO. _____. Amend House Bill 3462 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Water Well and Pump Installation
5 Contractor's License Act is amended by changing Sections 2, 3,
6 and 13 as follows:

7 (225 ILCS 345/2) (from Ch. 111, par. 7103)

8 (Section scheduled to be repealed on January 1, 2012)

9 Sec. 2. As used in this Act, unless the context otherwise
10 requires:

11 (1) "Water well" and "well" mean any excavation that is
12 drilled, cored, bored, washed, driven, dug, jetted or otherwise
13 constructed when the intended use of such excavation is for the
14 location, diversion, artificial recharge, or acquisition of
15 ground water, but such term does not include an excavation made
16 for the purpose of obtaining or prospecting for oil, natural
17 gas, minerals or products of mining or quarrying or for
18 inserting media to repressure oil or natural gas bearing
19 formation or for storing petroleum, natural gas or other
20 products, or monitoring wells;

21 (2) "Ground water" means water of under-ground aquifers,
22 streams, channels, artesian basins, reservoirs, lakes and
23 other water under the surface of the ground whether percolating
24 or otherwise;

1 (3) "Drill" and "drilling" mean all acts necessary to the
2 construction of a water well including the sealing of unused
3 water well holes and the installation of pitless well adapters
4 and pitless ubits;

5 (4) "Water Well Contractor" and "Contractor" mean any
6 person who contracts to drill, alter or repair any water well;

7 (5) "Water Well Pump Installation" means the selection of
8 and the procedure employed in the placement and preparation for
9 operation of equipment and materials utilized in withdrawing or
10 obtaining water from a well for any use, including all
11 construction involved in making entrance to the well and
12 establishing such seals and safeguards as may be necessary to
13 protect such water from contamination and all construction
14 involved in connecting such wells and pumping units or pressure
15 tanks in the water supply systems of buildings served by such
16 well, including repair to any existing installation and the
17 extending of water well casing from a maximum depth of 10 feet
18 below ground surface;

19 (6) "Water Well Pump Installation Contractor" means any
20 person engaged in the business of installing or repairing pumps
21 and pumping equipment owned by others;

22 (7) "Water Well and Pump Installation Contractor" means any
23 person engaged in both businesses described in subsections 4,
24 5, and 6 above;

25 (8) "Department" means the Department of Public Health of
26 this State;

27 (9) "Director" means the Director of the Department of
28 Public Health;

29 (10) "Board" means the Water Well and Pump Installation
30 Contractors Licensing Board created by Section 6 of this Act;

31 (11) "Person" includes any natural person, partnership,
32 association, trust and public or private corporation;

33 (12) "Monitoring well" means a water well intended for the
34 purpose of determining groundwater quality or quantity.

1 (Source: P.A. 86-843.)

2 (225 ILCS 345/3) (from Ch. 111, par. 7104)

3 (Section scheduled to be repealed on January 1, 2012)

4 Sec. 3. This Act shall not apply: (1) to an individual who
5 drills a water well or installs a water well pump on land which
6 is owned or leased by him and is used by him for farming
7 purposes or as his place of abode; or

8 (2) to an individual who performs labor or services for a
9 licensed water well Contractor in connection with the drilling
10 of a water well at the direction and under the personal
11 supervision of a licensed water well Contractor; or

12 (3) to an individual who performs labor or services for a
13 licensed water well pump installation contractor in connection
14 with the installation or repair of any water well pump or
15 equipment at the direction and under the personal supervision
16 of a licensed water well pump installation contractor; or

17 (4) to any person, firm or corporation engaged in the
18 installation or repair of water well pumps or equipment in
19 wells drilled or used for observation or any other purpose in
20 connection with the development or operation of a gas storage
21 project; or

22 (5) To any person, firm, or corporation engaged in the
23 installation of driven point wells.

24 (6) To an individual who seals an unused dug well at the
25 direction of and subject to the control of the owner of the
26 real property where the well is located.

27 (Source: P.A. 81-791.)

28 (225 ILCS 345/13) (from Ch. 111, par. 7114)

29 (Section scheduled to be repealed on January 1, 2012)

30 Sec. 13.

31 The fee to be paid by an applicant for an examination to
32 determine his fitness to receive a license as a water well

1 contractor is \$100 ~~\$50~~.

2 The fee to be paid by an applicant for an examination to
3 determine his fitness to receive a license as a water well pump
4 installation contractor is \$100 ~~\$50~~.

5 The fee to be paid by an applicant for an examination to
6 determine his fitness to receive a license as a water well and
7 pump installation contractor is \$160 ~~\$80~~.

8 The fee to be paid by an applicant for the annual renewal
9 of a license as a water well contractor or water well pump
10 installation contractor is \$75 ~~\$25~~.

11 The fee to be paid by an applicant for the annual renewal
12 of a license as a water well and pump installation contractor
13 is \$100 ~~\$35~~.

14 The fee to be paid by an applicant for the reinstatement of
15 a water well contractor license or a water well pump
16 installation contractor license which has lapsed less than 3
17 years is \$20 ~~\$10~~, plus all lapsed renewal fees.

18 The fee to be paid by an applicant for restoration of a
19 water well contractor's license or water well pump installation
20 contractor's license which has lapsed more than three years is
21 \$150.

22 The fee to be paid by an applicant for the reinstatement of
23 a water well and pump installation contractor license which has
24 lapsed less than 3 years is \$30 ~~\$15~~, plus all lapsed renewal
25 fees.

26 The fee to be paid by an applicant for the restoration of a
27 license as a water well and pump installation contractor which
28 has lapsed more than 3 years is \$175.

29 There shall be no reduction in such fees because a license
30 when issued may be valid for less time than a full license
31 year.

32 (Source: P.A. 77-1626.)

33 Section 10. The Illinois Water Well Construction Code is

1 amended by changing Sections 3, 5, and 6 and by adding Sections
2 9.1 and 9.2 as follows:

3 (415 ILCS 30/3) (from Ch. 111 1/2, par. 116.113)

4 Sec. 3. Definitions. As used in this Act, unless the
5 context otherwise requires:

6 (a) "Construction" means all acts necessary to obtaining
7 ground water by any method, including without limitation the
8 location of and the excavation for the well, but not including
9 prospecting, surveying or other acts preparatory thereto, nor
10 the installation of pumps and pumping equipment.

11 (b) "Department" means the Department of Public Health.

12 (c) "Director" means the Director of Public Health.

13 (d) "Modification" means any change, replacement or other
14 alteration of any water well which shall be contrary to the
15 rules and regulations regarding the construction of a well.

16 (e) "Water well" means any excavation that is drilled,
17 cored, bored, washed, driven, dug, jetted or otherwise
18 constructed when the intended use of such excavation is for the
19 location, diversion, artificial recharge, or acquisition of
20 ground water, but such term does not include an excavation made
21 for the purpose of obtaining or prospecting for oil, natural
22 gas, minerals or products of mining or quarrying or for
23 inserting media to repressure oil or natural gas bearing
24 formation or for storing petroleum, natural gas or other
25 products or for observation or any other purpose in connection
26 with the development or operation of a gas storage project.

27 (f) "Public water system", "community water system",
28 "non-community water system", "semi-private water system" and
29 "private water system" have the meanings ascribed to them in
30 the Illinois Groundwater Protection Act, except closed loop
31 wells using USP food grade propylene glycol as a coolant.

32 (g) "Potential route", "potential primary source" and
33 "potential secondary source" have the meanings ascribed to them

1 in the Environmental Protection Act.

2 (h) "Closed loop well" means a sealed, watertight loop of
3 pipe buried outside of a building foundation intended to
4 recirculate a liquid solution through a heat exchanger.

5 (i) "Monitoring well" means a water well intended for the
6 purpose of determining groundwater quality or quantity.

7 (j) "Closed loop contractor" means any person who installs
8 closed loop wells for another person. "Closed loop contractor"
9 does not include the employees of a closed loop contractor.

10 (k) "Horizontal closed loop well" means a closed loop well
11 constructed to contain horizontal piping and the installation
12 and grouting of the horizontal piping not exceeding 20 feet in
13 depth, and the connection to the horizontal header of the
14 closed loop cooling and heating system.

15 (l) "Vertical closed loop well" means a closed loop well
16 constructed to contain vertical piping and the installation and
17 grouting of the vertical piping exceeding 20 feet in depth, and
18 the connection to the horizontal header of thee closed loop
19 cooling and heating system.

20 (M) "Closed loop well system" is the entire system
21 containing the horizontal closed loop well or wells, the
22 vertical closed loop well or wells, the header piping, the
23 heating and cooling equipment, and the connections to the
24 heating and cooling equipment.

25 (Source: P.A. 86-843.)

26 (415 ILCS 30/5) (from Ch. 111 1/2, par. 116.115)

27 Sec. 5. Department powers and duties.

28 The Department has general supervision and authority over
29 the location, construction and modification of water wells,
30 closed loop wells and monitoring wells and for the
31 administration of this Act. With respect thereto it shall:

32 (a) Adopt and publish, and from time to time amend rules
33 and regulations as hereinafter provided;

1 (b) Commencing no later than January 1, 1988, issue permits
2 for the construction or change in depth of any water well other
3 than community public water systems and monitoring wells, and
4 commencing no later than November 1, 2005, issue permits for
5 the construction and modification of closed loop well systems;
6 and

7 (c) Exercise such other powers as are practical and
8 reasonably necessary to carry out and enforce the provisions of
9 this Act.

10 (Source: P.A. 86-843.)

11 (415 ILCS 30/6) (from Ch. 111 1/2, par. 116.116)

12 Sec. 6. Rules and regulations. The Department shall adopt
13 and amend rules and regulations reasonably necessary to
14 effectuate the policy declared by this Act. Such rules and
15 regulations shall provide criteria for the proper location and
16 construction of any water well, closed loop well or monitoring
17 well and shall, no later than January 1, 1988, provide for the
18 issuance of permits for the construction and operation of water
19 wells other than community public water systems, ~~closed loop~~
20 ~~wells~~ and monitoring wells. The Department shall by regulation
21 require a one time fee, not to exceed \$200 ~~\$100~~, for permits
22 for construction of water wells and a one time fee, not to
23 exceed \$200, for permits for the construction of closed loop
24 well systems issued under the authority of this Act. Water well
25 and closed loop well system construction permit fees shall be
26 for the purpose of reviewing the water well or closed loop well
27 system permit application, for the issuance of the permit, and
28 for inspecting the construction of the water well or closed
29 loop well system.

30 (Source: P.A. 86-843.)

31 (415 ILCS 30/9.1 new)

32 Sec. 9.1. Registration. No person shall engage in the

1 occupation of a closed loop contractor unless he or she holds a
2 valid registration as a closed loop contractor. All closed loop
3 contractors doing business in the State must file an
4 application for registration with the Illinois Department of
5 Public Health annually. All applicants for registration as
6 closed loop contractors shall submit verification of
7 certification by the International Ground Source Heat Pump
8 Association with the application for registration as closed
9 loop contractors beginning November 1, 2005 and shall have
10 until November 1, 2007 to submit verification of certification
11 by the Department. After November 1, 2007, all applicants for
12 registration as closed loop contractors shall submit
13 verification of certification by both the International Ground
14 Source Heat Pump Association and the Department with the
15 application for registration as a closed loop contractor. All
16 closed loop contractors shall renew their registration
17 annually. The Department shall collect annual registration
18 fees, in an amount established by the Department by rule. The
19 Department must begin to issue closed loop contractor
20 registrations under this Section no later than November 1,
21 2005.

22 (415 ILCS 30/9.2 new)

23 Sec. 9.2. Certification. Applications for certification as
24 a closed loop contractor shall be made to the Department in
25 writing and under oath or affirmation upon forms prescribed and
26 furnished by the Department. The applications shall contain any
27 information the Department deems necessary in order to carry
28 out the provisions of this Act. The Department shall issue
29 certifications as a closed loop contractor to those individuals
30 who are qualified and have successfully passed the Department's
31 closed loop contractor's certification exam. The Department
32 shall establish the time of the closed loop contractor's exam
33 and the qualifications for the closed loop contractor's

1 certification by rule. The Department shall collect the fee for
2 the closed loop contractor's qualification exam, the amount of
3 which shall be established by rule. The Water Well and Pump
4 Installation Contractor Licensing Board shall advise and aid
5 the Department in preparing subject matter for the closed loop
6 contractor's certification exam. Any person holding a valid
7 State of Illinois Department of Public Health Water Well
8 Contractor's license or State of Illinois Department of Public
9 Health Water Well and Pump Installation Contractor's license
10 may apply and receive, without examination or fee, a closed
11 loop contractor's certification provided that all other
12 requirements of this Act are met. The Department must begin to
13 issue closed loop contractor certifications under this Section
14 no later than November 1, 2005.

15 Section 99. Effective date. This Act takes effect October
16 1, 2005."